



**DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001**

REPLY TO
ATTENTION OF:

South Mississippi Branch
Regulatory Division

October 10, 2014

**JOINT PUBLIC NOTICE SAM-2008-00621-PAH
U.S. ARMY CORPS OF ENGINEERS**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL (DMR-060027)**

**DREDGING AND CONTRUCTION OF BULKHEAD, BOATSLIP AND BOATHOUSE,
OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Please communicate this information to interested parties.

**APPLICANT: Mr. Gerrod Kilpatrick
7716 Southwind Drive
Biloxi, Mississippi 39532**

LOCATION: The project is located at 14013 Solano Circle, Bayou Porteaux, Ocean Springs, Jackson County, Mississippi, Latitude 30.4386 North, Longitude 88.8437 West.

WORK: The applicant proposes the construction of a bulkhead, 45 feet long, which would be 3 feet above Mean High Tide (MHT), a boathouse, 32 feet by 25 feet approximately 20 inches above MHT and dredging approximately 500 yards³ of material from 2 areas on the applicant's property. The first area would be a 120 feet by 30 feet portion of the bayou by the applicant's property which would be dredged from -2 MHT to -5 MHT; the other area would be dredged to expand an existing 3 feet by 11 feet keyhole slip to the new dimensions of 32 feet by 25 feet and would be -5 MHT.

PROJECT PURPOSE: As stated by the applicant, the project is for shoreline stabilization, vessel mooring and launching associated with a single family residence.

MITIGATION: As proposed this project should not result in the loss of aquatic resources; the applicant is not proposing mitigation for impacts at this time.

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act and upon completion of the required advertising; a determination relative to certification will be made. The applicant has applied for State Water

Quality Certification (WQC) in accordance with Section 401(a)(1) of the Clean Water Act, and for Coastal Zone (CZ) Consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQC and CZ Consistency will be made by the Mississippi Office of Pollution Control and the Mississippi Department of Marine Resources.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and in general, the needs and welfare of the people. The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held for consideration of this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the proposed dredging, bulkhead construction and dock construction. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This action constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately

documents that a potential exists for the location of significant sites or properties within the project area. We are seeking comment from the State Historic Preservation Officer, Federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and the general public regarding the existence or the potential for existence of significant cultural and historic properties, which may be affected by the work.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR 325, the Corps has determined that the permit area consists of the work site. We are seeking comment from the State Historic Preservation Officer, Federally-recognized American Indian tribes, and the general public regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. The Corps has made a preliminary determination that there is no potential to affect cultural and historic properties within the permit area based on the repeated maintenance dredging of the project area and the separate approval and use of the dredged material disposal site.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will have no effect on listed endangered or threatened species, or their critical habitats, or essential fish habitat. The project will be coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal includes dredging an area approximately 0.15 acre in size within an existing man made canal system. The project area includes estuarine substrate and water column utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2008-00621-PAH** and should be directed to the District Commander, U.S. Army Corps of Engineer, Mobile District, Attention: Mr. Philip A. Hegji, Post Office Box 2288, Mobile, Alabama 36628-0001, and a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: Ms. Florance Watson, P.E., Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, Bureau of Wetlands Permitting and Mitigation, 1141 Bay view Avenue, Biloxi, Mississippi 39530

All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager for this application, Mr. Hegji at (251) 690-3222 or at philip.a.hegji@usace.army.mil. Please refer to the above Public Notice number.

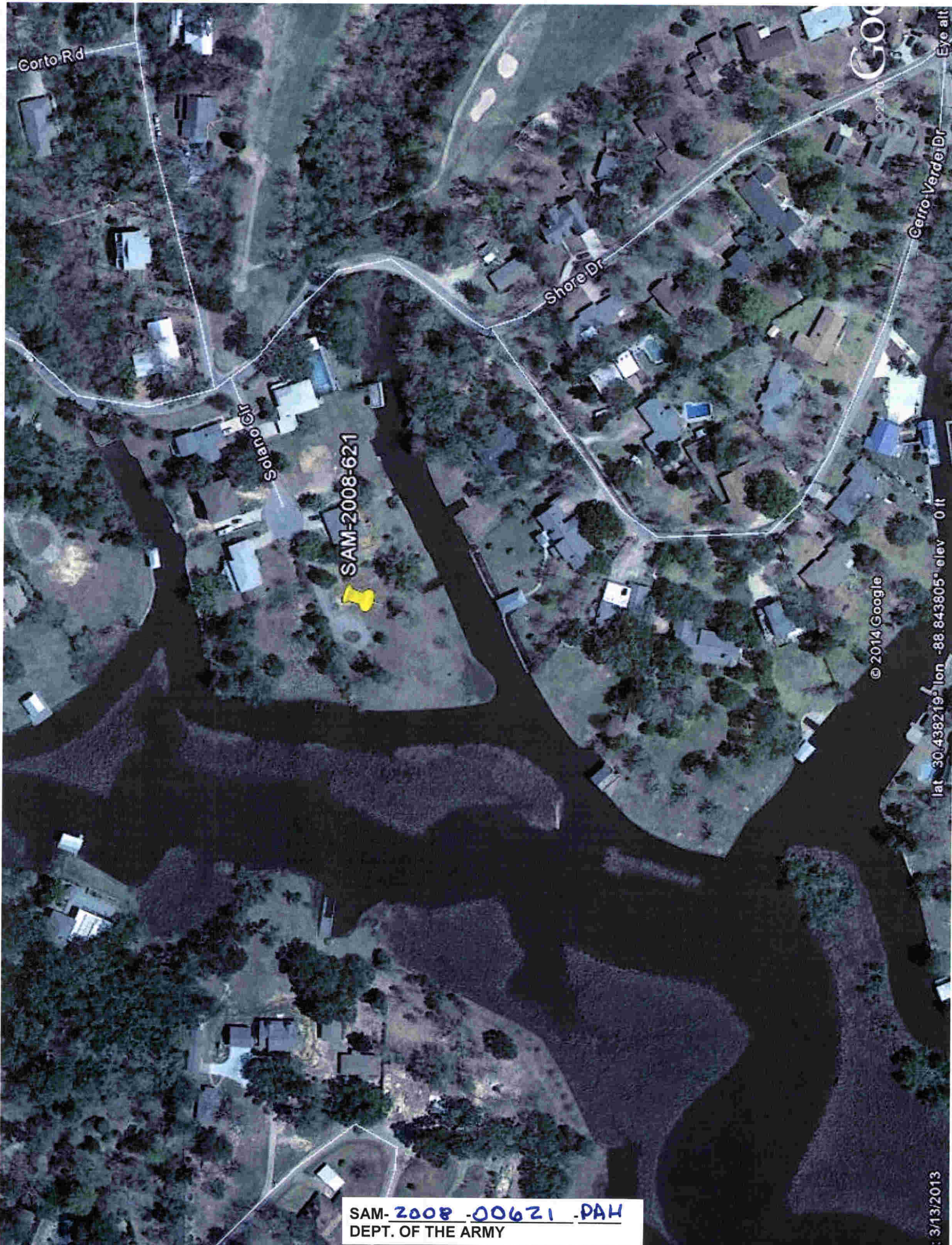
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For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



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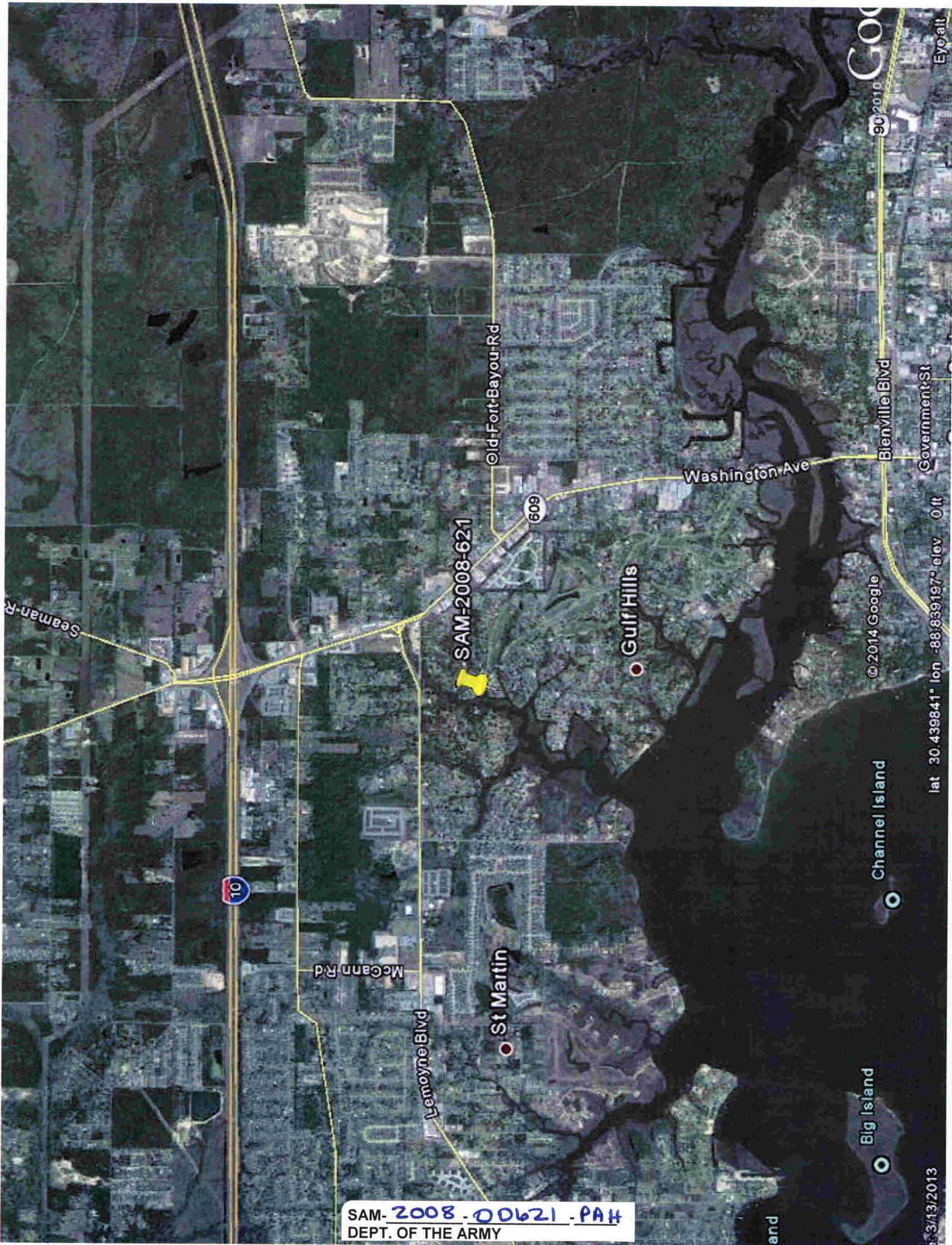
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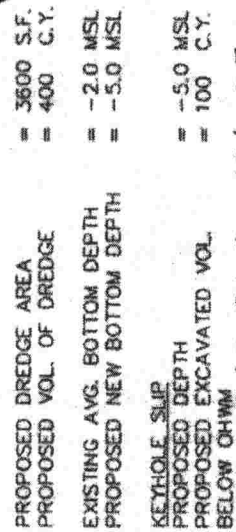
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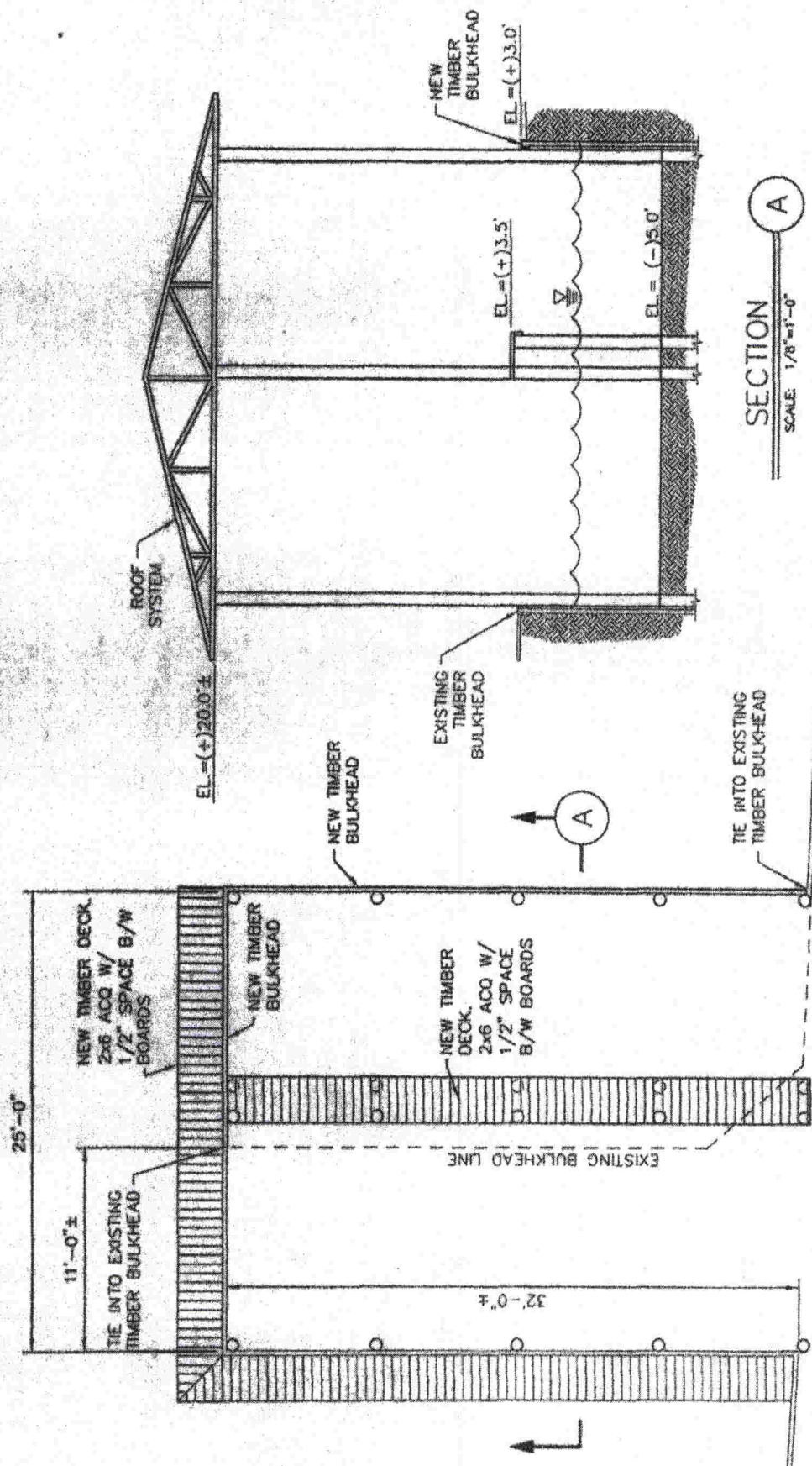


2.) THERE IS NO SUBMERGED AQUATIC VEGETATION PRESENT.

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SAM-2008-0621-MFM

SITE PLAN - PROPOSE DREDGE
AND KEYHOLE SLIP EXPANSION



SECTION A
SCALE 1/8"=1'-0"

PLAN
KEYHOLE SLIP EXPANSION
SCALE 1/8"=1'-0"

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KEYHOLE SLIP PLAN AND ELEVATION	REV. A